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LAW OFFICES

# SMITHWICK & BELENDIUK, P. C.

1990 M STREET, N.W.

SUITE 510

WASHINGTON, D.C. 20036



November 12, 1993

Mr. William F. Caton Acting Secretary Federal Communications Commission 1919 M Street, N.W. Washington, D.C. 20554

Re: Frank B. DuRoss

Whitesboro, New York File No. BPH-920512MC

Dear Mr. Caton:

TELECOPIER

(202) 785-2804

Transmitted herewith, on behalf of Frank B. DuRoss, applicant for a new FM Station at Whitesboro, New York, are an original and six copies of his "Integration and Diversification Statement" in the above-referenced proceeding.

If there are any questions with respect to this matter, please communicate with undersigned counsel.

Sincerely

Arthur V. Belendiuk

Counsel for

FRANK B. DUROSS

AVB/ml.A1111

Enc.

cc: As per Certificate of Service

Whitesboro Public File Mr. Frank B. DuRoss

No. of Copies rec'd List ABCDE

### Before the

# Federal Communications Commiss

Washington, D.C. 20554

In re Applications of

FRANK B. DUROSS

NEW HORIZONS BROADCASTING PARTNERSHIP

KENNETH F. ROSER, JR.

KEVIN O'KANE

For a Construction Permit for a New FM Station on Channel 250A, at Whitesboro, New York

To: Honorable Joseph P. Gonzalez Administrative Law Judge

MM DOCKET NO. 93-264

File No. BPH-920512MC

File No. BPH-920513MF

File No. BPH-920513MI

File No. BPH-920514MK

### INTEGRATION AND DIVERSIFICATION STATEMENT

Frank B. DuRoss ("DuRoss"), an individual applicant in the above-captioned proceeding, pursuant to \$1.325(c)(2) of the Commission's Rules (47 C.F.R. \$1.325(c)(2)), hereby submits his "Integration and Diversification Statement".

### Ownership Structure

Frank B. DuRoss is an individual applicant.

#### Integration Proposal

In the event of a grant of the application, Frank B. DuRoss will participate in the management of the proposed facility at Whitesboro, New York.

Mr. DuRoss will terminate all other employment, except for his current work with the Providence Bruins Hockey Team which requires an approximate commitment of fifteen hours per week.

Mr. DuRoss will serve as General Manager of the station on a full-time basis (40 or more hours per week). Mr. DuRoss'

responsibilities and duties will include, but are not committed to the committee of the committee of the second personnel, including supervisory staff.

2. Formation and implementation of personnel policies.

 Formation and implementation of station's EEO program, including policy dissemination, recruitment, and training.

- 4. Management of the financial affairs of the station.
- 5. Ensuring compliance with all FCC Rules and Policies.

# Local Residence

Mr. DuRoss is claiming integration credit for past local residency. He currently resides in New Hartford, New York and has no plans to move. Mr. DuRoss has lived at the following addresses in the proposed stations service area:

| <u>Dates</u><br>December 1986-Present | Locations 22 Stonebridge Road New Hartford, NY 13413 |
|---------------------------------------|--|
| October 1979-December 1986            | 36 Nob Road<br>Utica, New York 13501                 |
| September 1973-October 1979           | 609 Plymouth Place<br>Utica, New York 13501          |
| June 1971-September 1973              | 504 James Street<br>Utica, New York 13501            |
| November 1950-June 1971               | 1559 Taylor Avenue<br>Utica, New York 13501          |

Mr. DuRoss has resided in the service area his entire life.

## Civic Involvement

Mr. DuRoss is claiming integration for civic participation.
Mr. DuRoss has been involved in the following civic activities in

#### the service area:

**Dates** <u>Activities</u> 1963-1967 Blessed Sacrament Catholic Church Altar Server 1601 St. Agnes Ave. Utica, NY 13501 Cub Scouts of America 1960-1962 Member Utica, New York 1962-1964 Boy Scouts of America Member Utica, New York 1961-1963 Cornhill Youth Association Little League Member Utica, New York 1963-1965 Pony League Baseball Member Utica, New York 1966-1967 Junior Achievement President Notre Dame High School Utica, NY 13502 Junior Achievement is an organization of young adults who are interested in learning about operating a business. As a member and president of Junior Achievement, Mr. DuRoss made, sold and marketed trunk lid elastic tiedowns for transporting Christmas trees.

1966-1967

Catholic Youth Organization Member Blessed Sacrament Church 1601 St. Agnes Avenue Utica, NY 13501 As a member of the CYO, Mr. DuRoss participated in charitable activities such as visiting local nursing homes.

1972-1974

Big Brothers/Big Sisters Organization Member Utica, New York

As a big brother, Mr. DuRoss was a companion to a child from a broken home. He participated in weekly activities with his little brother.

1976-1978

Knights of Columbus Utica, New York Member

East Utica Optimist Club Utica, New York Member

1981-1983

National Association Asbestos Abatement Contractors Charter Member

1983-1989

National Asbestos Council Member

1987-1989

Utica College, Representative Sherwood Boehlert Scholarship Fund Member Fundraising Committee Member

Responsible for soliciting funds for scholarship endowment.

1989-Present

St. Elizabeth's Hospital Utica, New York Development Council Member

Responsible for fundraising, presenting recommendations regarding Hospital operations.

Steering Committee Member - Lou Holtz Dinner Fundraiser

Member of various Hospital donation societies

1988-Present

United Cerebral Palsy Association Utica, New York Branch Member

1991-Present

United Cerebral Palsy Association Utica, New York Branch Member Board of Directors

Consultant to executive director regarding budgeting and capital improvements, fundraiser, and general business advisor.

1992

United Cerebral Palsy Association Utica, New York Branch Elected First Vice President

1988-1991

Utica Devils Advisory Board Chairman

Implemented community projects on behalf of Utica Devils Hockey Team; coordinated player visits to hospitals, food drives, Toys for Tots.

1989

Utica Rescue Mission Donor and Volunteer

Assisted homeless; Served meals to homeless 1982-Present

Greater Utica Chamber of Commerce

Member

1989-Present

Utica College

Co-founder of the DuRoss Family

Scholarship Fund

1991

American Hockey League

Member

Expansion and Long Range Planning

Committee

1950-Present

Blessed Sacrament

Catholic Church

1601 St. Agnes Avenue Utica, New York 13501

Member

# Auxiliary Power

Mr. DuRoss also claims credit for the installation of auxiliary power generators at both the studio and transmitter.

Executed this 10th day of November, 1993.

FRANK B. DUROSS

By:

Frank B. DuRoss

# CERTIFICATE OF SERVICE

I, Michelle M. Lamarre, a legal assistant in the law firm of Smithwick & Belendiuk, P.C., certify that on this 12th day of November, 1993, copies of the foregoing were mailed via first class mail, postage pre-paid, to the following:

The Honorable Joseph P. Gonzalez (\*)
Administrative Law Judge
Federal Communications Commission
2000 L Street, N.W.
Room 221
Washington, DC 20554

James Shook, Esq.
Hearing Branch
Federal Communications Commission
2025 M Street, N.W.
Room 7212
Washington, DC 20554

Richard J. Hayes, Jr., Esq. 13809 Black Meadow Rd. Greenwood Plantation Spotsylvania, VA 22553 Co-Counsel for Kenneth F. Roser, Jr.

J. Richard Carr, Esq. P.O. Box 70725 Chevy Chase, MD 20813-0725 Co-Counsel for Kenneth F. Roser, Jr.

James L. Oyster, Esq. Rt. 1, Box 203A Castleton, VA 22716 Counsel for Kevin O'Kane

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7113 Peach Court
P.O. Box 986
Suite 208
Brentwood, TN 37024
Counsel for New Horizons Broadcasting Partnership

(\*): By Hand Delivery

Michelle M. Lamarre